

\*\*E-filed 3/1/07\*\*

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 06-00095 JF  
12 )  
Plaintiff, )  
13 v. ) **STIPULATION TO CONTINUE**  
14 ) **HEARING AND EXCLUDE TIME;**  
FRANCISCO JAVIER ALCAZAR, ) **[PROPOSED] ORDER**  
15 )  
Defendant. )  
\_\_\_\_\_ )

16 **STIPULATION**

17 Defendant and the government, through their respective counsel, hereby stipulate that,  
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for  
19 Wednesday, March 14, 2007, at 9:00 a.m., be continued to Wednesday, March 28, 2007, at 9:00  
20 a.m. The continuance is requested to allow time for the defense to conduct additional  
21 investigation with respect to Mr. Alcazar's criminal history, and to allow time for defense  
22 counsel to discuss settlement with her client. Additionally, this matter was recently reassigned  
23 within the Federal Public Defender's Office, and defense counsel will be out of the country from  
24 February 27, 2007 to March 13, 2007.

25 The parties further agree that time should be excluded under the Speedy Trial Act until  
26 the next hearing of this matter for continuity of counsel and because the parties require time for

STIPULATION TO CONTINUE  
HEARING DATE; [PROPOSED] ORDER  
No. CR 06-00095 JF

1 investigation and preparation, so that the ends of justice outweigh the defendants' and the  
2 public's need for a speedy trial.

3 Dated: 2/23/07

4 /s/  
LARA S. VINNARD  
Assistant Federal Public Defender  
Attorney for Michael Crawford

6 Dated: 2/23/07

7 /s/  
RICHARD C. CHENG  
Assistant United States Attorney

9 **ORDER**

10 The parties have requested a continuance of the hearing set for March 14, 2007, on  
11 grounds that the defense requires additional time for investigation and preparation, and defense  
12 counsel will be out of town until mid-March.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
14 presently set for March 14, 2007, at 9:00 a.m., be continued to March 28, 2007, at 9:00 a.m.

15 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
16 from March 21, 2007, to March 28, 2007, shall be excluded from the period of time within  
17 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

18  
19 Dated: 3/1/07

20   
JEREMY FOGEL  
United States District Judge